

CONGRATULATORY RESOLUTIONS

S.R. 71 - By Harris of Tarrant: Extending congratulations to the Arlington Sam Houston High School football team for the team's highly successful season.

S.R. 72 - By Sims: Extending congratulations to Ladd Hughes of San Angelo for achieving the rank of Eagle Scout.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 3:11 p.m. adjourned until 1:30 p.m. tomorrow.

SEVENTH DAY

(Tuesday, January 29, 1991)

The Senate met at 1:30 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Glasgow, Green, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sims, Tejada, Truan, Turner, Whitmire, Zaffirini.

A quorum was announced present.

Pastor Fred Neumann, St. Paul Lutheran Church, Austin, offered the invocation as follows:

In the name of the Father and the Son and of the Holy Spirit. Amen.

Our kind and gracious Heavenly Father, hear us for the sake of Your dear Son, Jesus Christ.

We thank You for times of relative peace and plenty in this and recent years, and pray that You further extend these blessings to us and all mankind.

We thank You for the gift of government given to the world to hold back the forces of chaos and the evil that always threatens to engulf mankind.

You have given us, especially this governing body, a share of this preservation of order, the rule of law. Have mercy upon the President and Congress of the United States, the Governor and House and Senate of this State, we pray. Mercy in terms of wisdom to decide, guide, and lead in ways pleasing to You and beneficial to the citizenry. Mercy in terms of good health of body, soul, spirit, and mind to carry out all duties and complete the work. Mercy in terms of peace and concord in personal life, for marriage, family, spouses, children so that these may be preserved to us.

Mercy in terms of conscience that all may have the grace to do as they should and have peace about their decisions.

These and all other prayers for mankind—for service personnel in the Persian Gulf theater of operations, for the relatively weak and defenseless living in dangerous places, and all our other needs—we commend to You, in Christ. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 11

On motion of Senator Zaffirini and by unanimous consent, Senator Sims will be shown as Co-author of S.C.R. 11.

MESSAGE FROM THE HOUSE

House Chamber
January 29, 1991

HONORABLE BOB BULLOCK
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 9, Reaffirming America's commitment to provide Israel with the means to maintain her freedom and security.

H.C.R. 40, Recognizing February 9, 1991, as Judge Spurgeon E. Bell Day.

Respectfully submitted,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORT OF STANDING COMMITTEE

Senator Barrientos submitted the following report for the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with the recommendation that they be confirmed.

To be Members of the BOARD OF REGENTS, TEXAS A&M UNIVERSITY SYSTEM: Ms. Mary Nan West, Zavala County; Mrs. Alison W. Leland, Harris County; Royce E. Wisenbaker, Smith County.

To be Members of the BOARD OF REGENTS, UNIVERSITY OF TEXAS SYSTEM: Reverend Zan Wesley Holmes, Jr., Dallas County; Bernard Rapoport, McLennan County; Ms. Ellen Clarke Temple, Angelina County.

To be Members of the TEXAS PARKS AND WILDLIFE COMMISSION: Mayor Ignacio D. Garza, Cameron County; Mrs. Terese Tarlton Hershey, Harris County; Thomas Walter Umphrey, Jefferson County.

To be PRESIDING JUDGE OF THE FIRST ADMINISTRATIVE JUDICIAL REGION: Judge Pat McDowell, Dallas County.

To be JUSTICE OF THE FIRST COURT OF APPEALS: Michael H. Schneider, Harris County.

To be JUDGE OF THE 46TH JUDICIAL DISTRICT COURT, FOARD, HARDEMAN AND WILBARGER COUNTIES: Thomas Allen Neely, Wilbarger County.

To be JUDGE OF THE 52ND JUDICIAL DISTRICT COURT, CORYELL COUNTY: Phillip H. Ziegler, Coryell County.

To be CRIMINAL DISTRICT ATTORNEY OF CALHOUN COUNTY: John D. "Jack" Whitlow, Calhoun County.

To be DISTRICT ATTORNEY OF THE 143RD JUDICIAL DISTRICT, REEVES, WARD AND LOVING COUNTIES: David P. Zavoda, Ward County.

To be a Member of the TEXAS BOARD OF CRIMINAL JUSTICE: Richard H. Collins, Dallas County.

To be a Member of the TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AUTHORITY: General James P. Smotherman, Travis County.

CAPITOL PHYSICIAN

Senator Krier was recognized and presented Dr. David Gude of San Antonio as the "Doctor for the Day."

The Senate welcomed Dr. Gude and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

GUEST PRESENTED

Senator Ellis was recognized and introduced Houston City Councilman Ernest McGowen.

The Senate welcomed Councilman McGowen.

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolution:

S.C.R. 7

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.J.R. 11 by Sims State Affairs
Proposing a constitutional amendment authorizing the commissioner of the General Land Office to issue patents for certain public free school fund land held in good faith under color of title for at least 50 years.

S.J.R. 12 by Lucio Finance
Proposing a constitutional amendment to raise the limits of the exemption from ad valorem taxation of property owned by disabled veterans or by the surviving spouses and surviving minor children of disabled veterans.

S.B. 208 by Green Natural Resources
Relating to restrictions on the issuance of permits to certain persons by the Texas Department of Health, the Texas Air Control Board, and the Texas Water Commission.

S.B. 209 by Harris of Tarrant Criminal Justice
Relating to the transfer of a movie video to a minor.

S.B. 210 by Harris of Tarrant Intergovernmental Relations
Relating to the salary paid to certain family law masters.

S.B. 211 by Leedom Intergovernmental Relations
Relating to the financing of personal property by governmental agencies.

S.B. 212 by Leedom Criminal Justice
Relating to the licensing of bail bondsmen and the operation of a county bail bond board; providing a penalty.

S.B. 213 by Tejeda Criminal Justice
Relating to authorizing community supervision and corrections departments to employ probation field unit officers.

S.B. 214 by Armbrister State Affairs
Relating to the inclusion of certain roads in the state highway system for purposes of right-of-way acquisition.

S.B. 215 by Armbrister Intergovernmental Relations
Relating to noise regulation of sport shooting ranges.

S.B. 216 by Haley Education
Relating to purchase of service credit in the Teacher Retirement System of Texas by vocational teachers.

S.B. 217 by Leedom Criminal Justice
Relating to enrollment in a drug rehabilitation program as a condition of probation or release on mandatory supervision or parole.

S.B. 218 by Lucio Education
Relating to the substitution of employment experience as an educational aide for the student teaching component of a teacher education program.

S.B. 219 by Lucio State Affairs
Relating to the conveyance of certain state-owned real property by the Texas Employment Commission; making an appropriation.

S.B. 220 by Lucio Finance
Relating to tuition at state institutions of higher education for honorably discharged members of the armed forces of the United States.

SENATE RESOLUTION 74

Senator Parker offered the following resolution:

WHEREAS, Diabetes is a devastating disease that poses a serious public health problem for many Texans; and

WHEREAS, Approximately 430,000 persons in Texas have been diagnosed with diabetes and another 400,000 have the disease but have not yet been diagnosed; and

WHEREAS, The costs of treating complications of diabetes are high in human suffering, lost income, treatment costs, and costs to the state-supported medical care programs; and

WHEREAS, Complications such as amputations, blindness, kidney failure, heart disease, birth defects, and strokes result from uncontrolled diabetes; and

WHEREAS, Fifty to 60 percent of these complications can be prevented with good education about diet, weight, and exercise and appropriate patient diabetes education and clinical care; and

WHEREAS, The public health programs in Texas are crucial to the dissemination of good information about diabetes and the development of diabetes services for all Texans; and

WHEREAS, The Texas Diabetes Council as mandated by the Texas Legislature has completed A Plan to Control Diabetes in Texas for the purpose of promoting more effective interventions to help reduce illness from diabetes in Texas, to educate the public on the problems of diabetes, and to increase public support for essential diabetes services; and

WHEREAS, The Texas Diabetes Council has made legislative recommendations to the legislature for the development of public programs on diabetes in order to promote better health for Texas citizens; and

WHEREAS, The American Diabetes Association has cosponsored with the Texas Diabetes Council the events of January 29th, "Diabetes Day at the Capitol," to call attention to this growing health care problem in our state; and

WHEREAS, The American Association of Diabetes Educators, Lions Club International, the Juvenile Diabetes Foundation, and other concerned groups have supported the efforts of this day; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, hereby extend its concern for those with diabetes.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Parker, the resolution was adopted by a viva voce vote.

SENATE CONCURRENT RESOLUTION 12

Senator Haley offered the following resolution:

S.C.R. 12, Inviting Her Excellency Ann W. Richards, Governor of Texas, to address a Joint Session of the Senate and House of Representatives at 12:00 noon Wednesday, February 6, 1991.

The resolution was read.

On motion of Senator Haley and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

SENATE CONCURRENT RESOLUTION 13

Senator Green offered the following resolution:

S.C.R. 13, Inviting The Honorable Tom Phillips, Chief Justice of the Supreme Court of Texas, to address a Joint Session of the Senate and House of Representatives at 11:30 a.m., Tuesday, February 12, 1991.

The resolution was read.

On motion of Senator Green and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

SENATE BILL 200 REREFERRED

On motion of Senator Brown and by unanimous consent, **S.B. 200** was withdrawn from the Committee on Economic Development and rereferred to the Committee on Criminal Justice.

GUESTS PRESENTED

Senator Glasgow was recognized and introduced special guests Mrs. Jan Bullock, Mrs. Katherine Dickson and Mrs. Rosie Moncrief.

The Senate extended a warm welcome to these three ladies.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Barrientos gave notice that he would tomorrow at the conclusion of Morning Call submit to the Senate for consideration nominations to agencies, boards and commissions of the State.

CONGRATULATORY RESOLUTIONS

H.C.R. 40 - (Green): Declaring February 9, 1991, to be Judge Spurgeon E. Bell Day in Texas and encouraging its observance in schools and communities across the state.

S.C.R. 10 - By Dickson: Extending congratulations to Gilbert Rodriguez of Abilene on being named person of the year and commending him for his exemplary community spirit.

S.C.R. 11 - By Zaffarini, Sims: Designating New Braunfels a "German Heritage Center" of Texas in appreciation for the preservation of German heritage by its citizens.

S.R. 68 - By Ratliff: Recognizing the City of Pittsburg on the inauguration of Pittsburg Day.

S.R. 75 - By Barrientos: Extending congratulations to Aurelio G. Gutierrez of Austin on his retirement after 34 years of meritorious labors with the United States Postal Service.

S.R. 76 - By Dickson: Honoring Mrs. A. V. S. Davis of Temple on the occasion of her 100th birthday.

S.R. 77 - By Dickson: Extending congratulations to Mike Welch of Sweetwater for being named the 1990 recipient of the Spirit of America Award.

S.R. 78 - By Dickson: Extending congratulations to the Texas Alcoholic Beverage Commissioned Officers Association for their exceptionally fine work and their new and highly praised public education campaign.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 2:04 p.m. adjourned until 1:30 p.m. tomorrow.

EIGHTH DAY

(Wednesday, January 30, 1991)

The Senate met at 1:30 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Glasgow, Green, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sims, Tejeda, Truan, Turner, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend Bobbi Kaye Jones, First United Methodist Church, Austin, offered the invocation as follows:

Lord, we pray for the power to be gentle; the strength to be forgiving; the patience to be understanding; and the endurance to accept the consequences of holding to what we believe to be right. May we put our trust in the power of good to overcome evil and the power of love to overcome hatred. We pray for the vision to see and the faith to believe in a world emancipated from violence, a new world